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Committee for Programme and Coordination
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Agenda item 7
Adoption of the report of the Committee on its fifty-fourth session

Draft report

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Addendum

Proposed strategic framework for the period 2016-2017
(*Item 3 (b)*)

Programme 6
Legal affairs

1. At its 18th meeting, on 12 June 2014, the Committee for Programme and Coordination considered programme 6, Legal affairs, of the proposed strategic framework for the period 2016-2017 (A/69/6 (Prog. 6)). The Committee also had before it a note by the Secretariat on the proposed strategic framework (E/AC.51/2014/CRP.1).

2. The Under-Secretary-General for Legal Affairs, Legal Counsel, introduced the programme and responded to queries raised during the Committee's consideration of the programme.

Discussion

3. Views were expressed in support of the programme and the important and essential functions carried out under the programme for the Organization and in support of the promotion of international law. It was emphasized that the legal interpretations provided by the Office of Legal Affairs were very important.

4. Delegations noted the importance of the participation of the Office of Legal Affairs in the Organization's administration of justice system. Questions were raised and responses were provided concerning the participation of the Office of Legal Affairs in the area of administration of justice to ensure that staff rights were

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upheld. Clarification was also sought on the synergies between the Office and other departments in this area.

5. Clarification was sought with respect to the formulation of the strategy for the provision of legal services to the United Nations system as a whole, and the activities of the Office as the custodian of functions with regard to the relationship with the host country under the Headquarters Agreement.

6. Clarification was also sought and a response provided on how the impact of the advice provided by the Office could be measured and on the incorporation of a gender perspective in the advice provided by the Office.

7. Delegations expressed support for the work of the Office of Legal Affairs with respect to the progressive development and codification of international law. Delegations noted the important role of the Office in capacity-building through the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law. Clarification was sought and provided on current initiatives in the Programme of Assistance. Clarification was also sought and provided on the Office's role in the development of legal doctrine in the progressive development and codification of international law.

8. Delegations noted the important functions of the Office in the progressive harmonization, modernization and unification of the law of international trade. Clarification was sought and provided on how the Office of Legal Affairs could facilitate broader participation by Member States in the United Nations Commission on International Trade Law.

9. Views were expressed in support of the important work of the Office in the area of the law of the sea and ocean affairs and a clarification was sought with respect to the mandate and functions of the Office with respect to UN-Oceans. Clarification was also sought and provided on the provision of technical assistance and capacity-building activities in the area of the law of the sea and ocean affairs.

10. The view was expressed that the Office of Legal Affairs provided an essential function in maintaining the institutional memory of the Organization through its responsibilities in the custody, registration and publication of treaties. Delegations welcomed the continued expansion of the online treaty collection and sought clarification on current efforts in this regard. Clarification was also sought and provided with respect to the availability of premises for the archiving of treaties.

11. Clarification was sought regarding the application of regulation 4.8 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation in servicing the intergovernmental process. A question was raised on the issue of uniformity in this regard and, in particular, which United Nations organs are considered "relevant sectoral, functional and regional intergovernmental bodies", as referred to in regulation 4.8, that may consider the biennial programme plan.

12. It was noted that changes had been made in the proposed strategic framework for 2016-2017 compared with the approved programme plan for 2014-2015, and that brevity should not be favoured to the detriment of substance.

13. With regard to subprogramme 1, Provision of legal services to the United Nations system as a whole, it was noted that some of the ideas reflected in the

programme plan for 2014-2015 had been excluded from the proposed strategic framework.

14. With regard to subprogramme 2, General legal services provided to United Nations organs and programmes, it was noted that the indicators of achievement had been amended, compared with the programme plan for 2014-2015.

15. As regards subprogramme 3, Progressive development and codification of international law, the importance of the subprogramme was underscored, and it was noted that the subprogramme faced resource challenges. The view was expressed that the activities of the subprogramme with respect to capacity-building should be further expanded, in particular the Regional Courses in International Law and the Audiovisual Library of International Law.

16. With regard to subprogramme 4, Law of the sea and ocean affairs, the efforts of the Office to promote and strengthen the rule of law for the oceans was welcomed.

17. With respect to subprogramme 5, Progressive harmonization, modernization and unification of the law of international trade, it was noted that the proposed indicators of achievement (a) (i) and (ii) were useful but not sufficient. It was also noted that an additional indicator of achievement (a) (iii) should focus on substantive joint work. It was pointed out that the indicators of achievement could be strengthened.

18. As regards subprogramme 6, Custody, registration and publication of treaties, the view was expressed that the subprogramme played an important role in retaining the institutional memory of the Organization.

Conclusions and recommendations

19. **The Committee stressed the need for the Office to be fully engaged in providing advice and information, on request, to the principal and subsidiary organs of the United Nations and its Member States.**

20. **The Committee emphasized the importance of the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law and recommended that the General Assembly request the Secretary-General to make the efforts necessary to ensure wider participation in the above-mentioned Programme, as well as to strengthen capacity-building and training activities, in accordance with the technical and legal assistance provided to States under subprogramme 3.**

21. **The Committee underlined the need to ensure the continuation of all activities of the Programme of Assistance, including the Regional Courses in International Law for Africa, Asia-Pacific and Latin America and the Caribbean, as well as the continuation of the Audiovisual Library of International Law, and recommended that the General Assembly request the Secretary-General to ensure support for all activities of the Programme of Assistance in accordance with the provisions of resolutions 66/97 and 68/110, in particular paragraph 7 thereof.**

22. **In addition, the Committee recommended that the General Assembly request the Secretary-General to make every effort to ensure that all regions receive equal treatment when planning, organizing and conducting**

international law training courses and seminars, including the International Law Fellowship Programme and the Regional Courses in International Law.

23. **The Committee stressed the essential role of the Division for Ocean Affairs and the Law of the Sea in promoting and disseminating the law of the sea, in providing secretariat services to the Commission on the Limits of the Continental Shelf, the Meeting of the States Parties to the United Nations Convention on the Law of the Sea and all meetings of subsidiary bodies established by the General Assembly, and as coordinator of UN-Oceans.**

24. **The Committee recommended that the General Assembly approve the programme narrative of programme 6, Legal affairs, of the proposed strategic framework for the period 2016-2017, subject to the following modifications:**

Overall orientation

Paragraph 6.4

At the end of the second sentence, add ", in particular observance of the Charter and the resolutions, decisions, regulations, rules and treaties emanating from the Organization"

Subprogramme 3
Progressive development and codification of international law

Indicators of achievement

Add indicator (b) (iii), as follows:

"(b) (iii) Improved regional balance among the Regional Courses in International Law"

Strategy

Paragraph 6.16

After "(b) the planning, organizing and conducting of international law training courses and seminars, including the International Law Fellowship Programme and the Regional Courses in International Law", add ", especially for developing countries"

Subprogramme 4
Law of the sea and ocean affairs

Objective of the Organization

Replace the objective of the Organization with the following: "To promote and strengthen the law of the sea for the peaceful use of the oceans and sustainable development"